

REMARKS

Status of the Claims

Claims 1-13 are pending with Claim 1 being the sole independent claim. Claim 1 has been amended. Support for the claim changes can be found in the original disclosure, and therefore no new matter has been added.

Requested Action

Applicants respectfully request the Examiner to reconsider and withdraw the outstanding rejection in view of the foregoing amendments and the following remarks.

Rejection

Claims 1-8 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,216,952 (Mou) in view of U.S. Patent No. 5,844,730 (Aikawa et al.).

In response, while not conceding the propriety of the rejections, independent Claim 1 has been amended. Applicants submit that as amended, this claim is allowable for the following reasons.

Independent Claim 1 relates to an image reading apparatus for reading an image of a document comprising an image reading unit configured to read the image of the document, an illuminating unit configured to illuminate the document, a plurality of mirrors configured to reflect light from the document, and a housing configured to support the plurality of mirrors. At least one of the plurality of mirrors comprises a curved reflecting surface, and two contact portions, disposed on a side of the mirror on which the curved reflecting surface is provided, configured and positioned to determine the position

of the curved reflecting surface in a direction normal to the surface thereof when contacted with the housing.

Claim 1 has been amended to recite that the housing includes a mirror supporting part. In addition, Claim 1 has been amended to recite that the two contact portions are configured and positioned to determine the position of the curved reflecting surface in a direction normal to the surface thereof when the side of the mirror on which the curved reflecting surface is provided is contacted with the mirror supporting part of the housing.

One non-limiting example of this arrangement is shown in Figure 3, in which the two flat urging faces 19 of the mirrors 6-9, which are disposed on a side of the mirrors 6-9 on which the curved surface is provided, determine the position of the curved surface in a direction normal thereto when the faces 19 contact the mirror supporting part 11e of the housing 11.

In contrast, the citations to Mou and Aikawa et al. are not understood to disclose or suggest that two contact portions of a mirror, disposed on a side of the mirror on which a curved reflecting surface is provided, are configured and positioned to determine the position of the curved reflecting surface in a direction normal to the surface thereof when the side of the mirror on which the curved reflecting surface is provided is contacted with a mirror supporting part of a housing configured to support a plurality of mirrors, as recited by amended Claim 1.

Page 3 of the Office Action identifies col. 6, lines 1-9 of the Aikawa et al. patent as disclosing the claimed curved reflecting surface, while page 7 of the Office Action identifies col. 6, lines 25-50 the Aikawa et al. patent as disclosing the claimed curved reflecting surface. Col. 6, lines 1-9 is understood to disclose a curved Fresnel surface 72

shown in Figure 8, while col. 6, lines 25-50 is understood to disclose Fresnel mirrors 73a-73e shown in Figure 10. In addition, Figure 7 appears to show that the surface of the mirror opposite to surface 72 is understood to be supported by what appears to be a housing of an optical element 71, and Figure 10 appears to show that the surfaces of the mirrors 73a-73e opposite to the reflecting surfaces thereof are supported by the base plate 75. Therefore, it appears that the reflecting surface 72 faces away from the housing of the optical element 71 and the reflecting surfaces of the mirrors 73a-73e face away from the base plate 75. Thus, the portions of the Aikawa et al. patent cited in the Office Action appear to show that the opposite side of the mirrors from the side having the curved reflecting surface contacts a mirror support part of a housing. As a result, the Office Action has cited no portion of this patent that shows that the side of the mirror on which the curved reflecting surface is provided contacts a mirror supporting part of a housing, as recited by amended Claim 1. Consequently, the Office Action is not understood to have identified any portion of the Aikawa et al. patent that shows two contact portions of a mirror, disposed on a side of the mirror on which a curved reflecting surface is provided, configured and positioned to determine the position of the curved reflecting surface in a direction normal to the surface thereof when the side of the mirror on which the curved reflecting surface is provided is contacted with a mirror supporting part of a housing configured to support a plurality of mirrors, as recited by amended Claim 1.

Since the citations to Mou and Aikawa et al. are not understood to disclose or suggest at least one feature of amended Claim 1, the Office is not understood to have yet established a prima facie case of obviousness against amended Claim 1. Therefore, Applicants respectfully request that the rejection of Claim 1 be withdrawn.

The dependent claims are also submitted to be patentable, due to their dependency from the independent base claims, as well as due to additional features that are recited. Individual consideration of the dependent claims is respectfully solicited.

Applicant respectfully requests that this Amendment After Final be entered. This Amendment was not presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicant believes that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, Applicant submits that this Amendment places the application in condition for allowance. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

Conclusion

In view of the above amendments and remarks, the application is now in allowable form and entry of this Amendment is considered proper. Therefore, early passage to issue is respectfully solicited.

Any fee required in connection with this paper should be charged to Deposit Account No. 06-1205.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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